

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS
OFFICE OF THE CLERK**



NOTICE

DATE: December 21, 2004

SUBJECT: **Changes to Administrative Procedures For Electronic Case Filing**

Effective December 1, 2004, the Northern District of Texas, in coordination with the United States Bankruptcy Courts for the Southern, Eastern, and Western Districts of Texas, adopted the *Administrative Procedures for the Filing, Signing and Verifying of Documents By Electronic Means in Texas Bankruptcy Courts*. Highlights of significant changes in the procedures are outlined below.

Section II(B)(4) Registration and Training, Telephonic Training

Certain electronic filers who require only limited access to electronic document filing, such as proofs of claim only, may receive training assistance by telephone.

Section III(A)(6) Electronic Filing and Service of Documents, PDF File Limitations

No single PDF file, whether containing a document or an attachment, may exceed forty (40) pages in length. Documents and/or attachments in excess of forty pages must be divided into multiple PDF files and accurately described to the authorizing court. If a document, together with any attachments thereto, exceeds one hundred (100) pages in length, please call the court for guidance prior to filing such document by electronic means.

Section III(A)(9) Electronic Filing and Service of Documents, Adversary Complaint and Summons

A complaint, with a proposed summons as an attachment, must be filed electronically with the court. Because service of the summons by electronic means is currently precluded under Federal Rules of Civil Procedure, the court will print the proposed summons, affix the appropriate signature and seal upon it, and issue the executed original to the filing party.

by mail. (*Note: The clerk's office will continue to prepare and issue the summons to the filer with the scheduling order by mail.*)

Section III(A)(11) Electronic Filing and Service of Documents, Designation of Appellate Record

A designation of the items to be included in the record on appeal pursuant to Fed. R. Bankr. P. 8006 must be filed by electronic means. However, copies of the designated documents to be delivered to the clerk of court pursuant to the applicable local rule shall be delivered in a paper format, with the format of all subsequent filings to be determined by the appropriate district court. (*Note: This is not a change to current procedure. Appeals were not addressed in previous versions of the administrative procedures.*)

Section III(A)(12) Electronic Filing and Service of Documents, Unavailability of System

If there is a technical failure of the court's electronic system which renders it inaccessible to an electronic filer on the last day prescribed under any applicable rules or court order for the timely filing of a document, such prescribed period shall be extended until the end of the next business day after access to the system has been restored. (*Note: Parties should be aware that the court may lack authority to relieve a party from the operation of any applicable statute of limitations based upon the unavailability of the court's electronic system. In such event, alternative filing means should be utilized in a timely manner.*)

Section III(B)(3) Electronic Filing and Service of Documents, Signatures, Declarations for Electronic Filing

Within five (5) business days of the filing by electronic means of a bankruptcy petition, list, schedule, or statement that requires verification or an unsworn declaration under Fed. R. Bankr. P. 1008, the electronic filer shall tender to the court in paper format the appropriate "Declaration for Electronic Filing," substantially conforming either to Exhibit "B-1," "B-2," or "B-3," which has been executed by an individual debtor or by the authorized representative of any corporate or partnership debtor. Such declaration shall be thereafter maintained by the clerk of court in paper format. (*Note: The original declaration must be mailed to the court within five business days of the electronic filing. Attorneys should continue to include the declaration page in the electronic petition with the /s/ signature of the debtor. There is no requirement to electronically file a separate declaration.*)

For the Court
Tawana C. Marshall
Clerk of Court